

Gaithersburg Day Laborer Task Force Meeting
February 28, 2006, 7:30 p.m.
Casey Community Center, Room A

I. Approval of Summary of 2/21/06 Meeting

A motion was made to approve the February 21, 2006 Gaithersburg Day Laborer Task Force Meeting Summary. The motion passed.

II. Report & Discussion: Option B – “Ordinances”

Subcommittee B leader Lauren Husted presented the Option B Report. Primary changes included the addition of information gathered from an interview with Sgt. Scott Scarff of the Gaithersburg Police Department and clarification in regard to police enforcement.

A discussion ensued in which it was noted that the current situation hinders police enforcement efforts. While a non-trespassing ordinance is in effect at the Grace United Methodist Church, the owner of the adjoining property allows day laborers to gather on the site. Additionally, church activities draw more individuals and police require the assistance of church staff to discern who belongs and who does not. There was some disagreement among task force members as to whether trespassing and loitering were still a problem. Some task force members noted that improvement had been seen in some areas, particularly the church, while other members contended that there were still issues in regard to residential areas.

There was also some concern in regard to the accuracy, completeness and applicability of the list of referenced ordinances. Concern was noted primarily in regard to the limited ability of task force members to know all of the relevant state, county and city codes and how they applied among various levels of government. It was decided that the list was valuable and could be retained if it was clearly labeled as a sample of existing ordinances and included a disclaimer in regard to accuracy, completeness and applicability.

One task force member stated that there was a direct correlation between day laborer centers and ordinances. If the center was located in the “wrong” location it would required a broader, more stringent set of ordinances than a center sited in the “right” location. In regard to enforceability of non-solicitation ordinances, it was stated that as long as there was a day laborer center for day laborers to use, such ordinances were enforceable.

Also, a concern was raised in regard to the report’s reference of a “community response division of the police department” patrolling a one-mile radius around the day laborer site. The concern was that it could promote stereotyping by fostering the idea that day laborers are inclined to engage in criminal activity against the community. In response, it was noted that the community response division would be in line with the community policing initiative and would be

reminiscent of the relationship that the old-fashioned beat cop had with his neighborhood. As envisioned the officer would bridge the language barrier and work to improve overall community relations. The importance of a bilingual individual for this position was stressed.

The task force agreed to the following changes:

- State in broader terms problem of identifying trespassing and loitering infringements
- Rename ordinance listing to reflect that they are samples of existing ordinances
- Include a disclaimer to address accuracy, completeness and applicability of sample ordinances

It was agreed that the once the report was amended, it would be considered final and would be awaiting a vote.

III. Report & Discussion: Option C – “Existing Employment Centers”

Subcommittee C leader Rich Koch presented the Option C Report. It was reported that subcommittee members visited three employment agencies and noted that all three agencies accepted only documented workers. Of the three, Labor Ready appeared to be the only agency that could accommodate unskilled labor. Furthermore, it was noted that Labor Ready had few Hispanic workers and did not have a staff member that spoke Spanish.

In regard to gathering information on the existence and availability of social services and language classes, it was noted that the information was difficult to come by prior to consulting with the City’s Human Services Director Crystal Carr. A review of the many organizations and their respective offerings seemed to indicate that while private providers and schools systems do provide services to undocumented workers and their families, those same individuals are not eligible to participate in county, federal and state programs.

In focusing on the difficulty members initially encountered in obtaining information on social service providers and their programs, the subcommittee expressed concern in regard to the best method of informing day laborers and others of existing services. One member suggested that the responsibility of disseminating this information should be given to the representative from the “community response department” identified in the Option B Report. Another member suggested that church leaders might serve as a good source of information. However, it was argued that language barriers make this a difficult solution to implement across the board. Compounding the problem is fact that some individuals cannot read and write even in their native languages.

In regard to housing these services, there was concern about redundancy – specifically as to whether or not a day laborer center should automatically provide services that are available elsewhere.

The subcommittee concluded that if the City decided not to establish a day laborer center, services do exist to meet the needs of day laborers. However, concern was again expressed in regard to the need to improve awareness of providers and their programs/services. Conversely, should the City decide to establish a center it was anticipated that these existing organizations would be committed to addressing gaps in regard to the needs of day laborers.

IV. Report & Discussion: Option A – “Day Laborer Centers”

Subcommittee A leader Cathy Drzyzgula presented a draft Option A Report for review and discussion. It was stated that it was not clear that the physical structure of a facility influenced the success of the facility. Practices differed widely from center to center in regard to:

- Assigning work (ranged from drawings to first-come first serve)
- Participation by workers in management of center

It was noted that all centers separated workers into skilled and non-skilled categories, with the majority of workers being non-skilled. Additionally, all centers provided ID cards, established worker rules, identified contractors, set a minimum rate of pay (usually \$10 per hour), and provided ESOL classes in some form. It was also noted that the Herndon model employed an outreach coordinator who was responsible for providing information and getting to know the workers and their needs.

In regard to additional uses (social services, classes and trainings) it was questioned as to whether it was a good idea to tie services to the center as day laborers that find long-term employment would no longer be able to access those services.

On the subject of funding, it was noted that all centers in the Washington area were heavily dependent on government funding and that additional forms and amounts of funding varied widely.

It was reported that the demand for labor did not appear to be very large with winter hirings ranging from approximately 4% (Silver Spring) – 15% (Herndon). It was noted that the number of day laborers seeking work increased significantly during the summer. It was suggested that the differences in hiring rates could be attributed in part to the fact that Silver Spring had a considerably larger immigrant community than Wheaton.

Following the review of the research report, a discussion ensued resulting in the following questions/comments:

- Would like it noted that the library cards referenced in the report can act as a second form of identification.
- Suggested including reference to workshops offered in Wheaton that helped workers better relate to the police and the community.
- Would different zoning issues apply for a center that functioned solely as an employment center versus a center that also offered additional services

and trainings? It was believed that they would be considered accessory uses and allowed.

- Are there other classes available to meet the needs of the day laborers such as English classes and vocational classes? There are English classes offered; but, demand is so high that there is usually a waiting list. Additionally, day laborers with minimal education may not even read and write in their native language. In terms of vocational training, an individual really needs to spend time of the job to learn.
- Based on the number of people actually hired it was suggested that the funds for establishing and operating a day laborer center, would be better spent on educational classes and skills training that could help people find work.
- Generally, people stayed at minimum wage approximately 8 months and by 2 years were generally earning 40 – 50% above minimum wage. (Level of education and job skill proficiency were not identified.)
- It was noted that there was a high turn-over rate at the centers. It appeared that in some cases, day laborers had their own contacts and sources of work. If no work was available from those sources, they then pursued work through the day laborer centers.

On a more general note, it was stated that there should be some way for the task force to recommend that the federal government establish a worker program that would be capable of addressing the real-life situation.

Task force members were reminded to provide any input by editing the document (using either “Track Changes” or bold) and to state changes in clear, concise terms.

V. Old Business

A. Vote on Task Force “Charge #1” Report

A motion was made to accept the Charge #1 Report as written. The motion passed.

VI. New Business

A. National Times Forum

It was reported that Task Force Members Cathy Drzyzgula and Rich Koch and Assistant City Manager Tony Tomasello attended the National Times Forum titled, “Citizens Forum on Illegal Immigration.” It was noted that the forum was primarily a debate on illegal immigration.

B. Site Selection

Assistant City Manager Tony Tomasello stated that site selection was a significant deviation from the task force’s assigned charge. The task force decided that while imagining specific sites could be useful in helping to identify criteria and to determine why certain sites worked or didn’t work, it was agreed

that the focus would remain on criteria and that the task force would not pursue site selection.

VII. Adjournment

The meeting was adjourned at 9:06 p.m.